

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

MARK DAVID BLACK EAGLE,

Plaintiff,

vs.

ERIK SLETTEN,

Defendant.

CV 17-167-BLG-SPW-TJC

ORDER

On December 6, 2017, Plaintiff Mark David Black Eagle filed a notice of change of address. (Doc. 5.) Thereafter, the Clerk's Office sent the following documents to Mr. Black Eagle's address of record by U.S. Mail: a copy of the Hon. Judge Susan P. Watters' Order adopting the undersigned's Findings and Recommendations on Plaintiff's Motion for Reconsideration (Doc. 10); a copy of Judge Watters' Order referring this matter to the undersigned (Doc. 14); and a Notice and Consent to Exercise of Jurisdiction by a United States Magistrate Judge (Doc. 13). Each of these items were returned as undeliverable on December 17, 2018, December 21, 2018, and December 26, 2018, respectively. (Docs. 15, 16, 17.)

The Local Rules of the District of Montana provide:

- (b) Dismissal Due to Failure to Notify. The court may dismiss a complaint without prejudice or strike an answer when:

- (1) a document directed to the attorney or self-represented party by the court has been returned to the court as not deliverable; and
- (2) the court fails to receive within 60 days of this return a written communication from the attorney or self-represented party indicating a current address for service.

L.R. 5.3(b).

Sixty (60) days has passed since each of the identified documents were returned to the court as not deliverable. The Court will provide Plaintiff 30 days additional time to provide a current address for service. Accordingly, IT IS HEREBY ORDERED that within 30 days of the date of this Order Mr. Black Eagle shall notify the Court of his current address for service. Should he fail to do so this matter will be recommended for dismissal.

DATED this 2nd day of April, 2019.



TIMOTHY J. CAVAN
United States Magistrate Judge